




PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John E. Kast et al Examiner:
Serial No.: 10/772,944 Art Unit:
Filed: February 5, 2004 Confirmation No.:
Docket No.: 151P08970US02
For: IMPLANTABLE MEDICAL DEVICE WITH EXTERNAL
RECHARGING TOOL

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 14, 2004.


William D. Bauer

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with the Notice signed July 11, 2003, at 1276 OG 55, copies of the U.S. patents listed on the enclosed Form 1449 are not enclosed. In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Also enclosed is a copy of the Search Report to show the relevance of the patents listed thereon.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialled by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 500549.

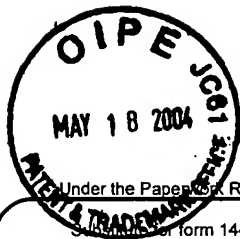
Respectfully submitted,

JOHN E. KAST ET AL

Date: May 14, 2004

By: William D. Bauer
William D. Bauer
Reg. No. 28,052
IPLM Group, P.A.
Post Office Box 18455
Minneapolis, MN 55418
Telephone (612) 331-7405

WDB:das



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/772,944
Filing Date	February 5, 2004
First Named Inventor	John E. Kast
Art Unit	
Examiner Name	
Attorney Docket Number	151P08970US02

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,041,955	08/16/1977	Kelly et al	
		US- 4,134,408	01/16/1979	Brownlee et al	
		US- 5,279,292	01/18/1994	Baumann et al	
		US- 5,314,457	05/24/1994	Jeutter et al	
		US- 5,411,537	05/02/1995	Munshi et al	
		US- 5,527,348	06/18/1996	Winkler et al	
		US- 5,562,714	10/08/1996	Grevious	
		US- 5,613,935	03/25/1997	Jarvik	
		US- 5,713,939	02/03/1998	Nedungadi et al	
		US- 5,733,313	03/31/1998	Barreras, Sr. et al	
		US- 5,861,019	01/19/1999	Sun et al	
		US- 6,067,474	05/23/2000	Schulman et al	
		US- 6,154,677	11/28/2000	Leysieffer	
		US- 6,178,353	01/23/2001	Griffith et al	
		US- 6,275,737	08/14/2001	Mann	
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 811 395 A2	12/10/1997	Quest Medical, Inc.		
		WO 99/06108	02/11/1999	Alfred E. Mann Foundation		
		WO 98/37926	09/03/1998	Alfred E. Mann Foundation		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/772,944
		Filing Date	February 5, 2004
		First Named Inventor	John E. Kast
		Art Unit	
		Examiner Name	
Sheet 2	of 2	Attorney Docket Number	151P08970US02

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		MEDTRONIC, INC., "Implantable Neurostimulation Systems", 1998	
		SINHA, GUNJAN, "The Heart, Medicine & Health", Popular Science, pg. 43, February 2000	
		MEDTRONIC, INC., "Mattrix Neurostimulation System", Brochure, 1995	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IPLM Group, P.A.
P.O. Box 18455
Minneapolis, MN 55418
612-331-7400 telephone
612-331-7401 facsimile



PATENT

TRANSMITTAL LETTER

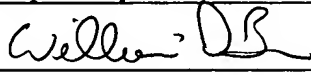
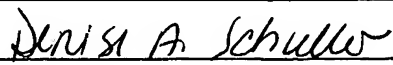
Attorney Docket No.	Serial No.
151P08970US02	10/772,944

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re Application of:	John E. Kast et al		
Serial No.:	10/772,944	Examiner:	
Confirmation No.:		Art Unit:	
Filed:	February 5, 2004		
For:	IMPLANTABLE MEDICAL DEVICE WITH EXTERNAL RECHARGING TOOL		
We are transmitting the following documents: Return Postcard Transmittal Letter [1 page] Information Disclosure Statement (37 C.F.R 1.97(b)) [2 pages] Information Disclosure Statement by Applicant [2 pages] Copy of European Search Report [2 pages] Copies of six (6) prior art patents and articles			

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectfully submitted,

Registration No. 28,052	Direct Dial 612-331-7405	
Date: May 14, 2004	William D. Bauer	
United States Patent and Trademark Office Customer No. 23322		
Certificate of Mailing		
Pursuant to 37 CFR 1.8, I certify that this correspondence is being deposited in the United States mail, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.		
		Signature 
Date of Mailing May 14, 2004	Printed Name Denise A. Schullo	